

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)

Plaintiff,)

v.)

RAYMOND ASSELIN SR., et al.)

Defendants)

CRIMINAL ACTION No. 04-30033-MAP

DEFENDANT MARIA SERRAZINA'S
MOTION TO SUPPRESS AND RETURN PROPERTY

Now comes the defendant Maria Serrazina and moves, pursuant to Fed. R. Crim. P. 12 and 41, that this Court suppress and return to her the following items seized by the FBI pursuant to a search of her residence at 140 Salli Circle, Ludlow, Massachusetts: (a) the items listed as numbers 2 through 8 on the inventory sheet, (b) inventory list(s) (with minor exceptions) created by the government, and (c) photographs, if any, taken of items outside the legitimate scope of the warrant. As grounds for this motion, the defendant states that:

1. The affidavit in support of the search warrant did not provide probable cause to search, seize, inventory or photograph the evidence sought to be suppressed.


2. The Leon good faith doctrine does not apply to the facts of this case.

3. The evidence was seized in violation of the Fourth Amendment to the United States Constitution.

Maria Serrazina's memorandum in support of her motion to suppress and return property is incorporated herein.

Respectfully submitted,
The defendant Maria Serrazina,
By her attorney,


Dated: December 23, 2005



Thomas Lesser, BBO No. 295000
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Northampton, MA 01060
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CERTIFICATE OF SERVICE

I, Thomas Lesser, hereby certify that on December 23, 2005, I served a copy of the foregoing document on all counsel of record and counsel for the government by mailing, first class, postage prepaid to all counsel of record and William Welch, Esq., Assistant United States Attorney, Federal Building and Courthouse, 1550 Main Street, Springfield, MA 01103-1422.



Thomas Lesser

Serrazina\Motion to Suppress
12/23/05